

REMARKS/ARGUMENTS

Claims 1-3, 9 and 10 are now in the case. Claim 4 has been cancelled. Claims 5-8 and 11 stand withdrawn from consideration

Claim 1 has been amended to recite the Markush group of non-phosphorus builders used in the compositions. The organic builders are employed as their alkali metal salts. Basis is found at page 5, beginning at the third paragraph, and in Examples I and II. Claim 2 has been amended to delete the listing of builders as being redundant in view of the amendments to Claim 1. Claims 9 and 10 have been amended to specify listings of builders consistent with Claim 1. It is submitted that these amendments are fully supported in the specification and entry is requested.

REJECTION UNDER 35 USC 112

The rejection of Claim 1 due to the informality has been met by the amendment noted above. Withdrawal of the rejection on this basis is requested.

REJECTION UNDER 35 USC 102

Claims 1-4, 9 and 10 stand rejected as being anticipated by U.S. 5,308,513, for reasons of record at pages 3-4 of the Office Action. In particular, the Examiner has cited the addition of the emulsion of '513 to the detergents containing certain phosphate/carbonate builders (Examples 2 and 4) to, assertedly, arrive at the present invention. Applicants respectfully traverse the rejections on this basis, to the extent they may apply to the claims as amended herein.

As now presented, the amended claims require the presence of one or more of a group of specified builders, none of which contains phosphorus and none of which is solely carbonate. It is submitted that none of these builders is taught in the '513 patent. Accordingly, MPEP §2131, and case law cited therein, applies to the rejection. Since '513 does not teach an invention that is identical to the now-amended claims, the §102 rejection cannot stand, as a matter of law. Withdrawal of the rejection on this basis is requested.

In light of the foregoing, it is submitted that Claims 1-3, 9 and 10 are in condition for allowance. Early and favorable action is requested.

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Respectfully submitted,
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